THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No.3255 of 2006

Between:

Velpula Padma Rao s/o Ramaiah,

Aged 49 years, Agriculture,

Kothapalem village, Yellapula Mandal,

Guntur District.

PETITIONER

And:

The Principal Secretary, Irrigation Department

(I&CAD), Hyderabad, and others.

RESPONDENTS

ORAL ORDER:

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The petitioner assails the election to the Office Bearers of the Water Users Association, 13-House Ganesh Village, Phirangipuram Mandal, Guntur District.

The petitioner was elected as a Territorial Constituency Member of the said Association, but was not elected as an Office bearer. He complains that his vote was not counted and that there were other irregularities and illegalities occurred during the course of election to the office bearers of the said Association.

Rule 154 of the Andhra Pradesh Farmers Management of Irrigation Systems (Conduct of Elections) Rules 2003 ('the Rules') empowers an Election Tribunal constituted under the Andhra Pradesh Irrigation Utilization and Command Area Development Act 1984 ('the Act') and the Rules to enquire into every election petition in accordance with the provisions set out in the Rules.

As the petitioner has an effective alternative remedy in respect of the grievance urged herein, in the considered view of this court it is not a fit case for interference under Art. 226 of the Constitution. The writ petition is accordingly dismissed with a liberty to the petitioner to pursue the appropriate alternative remedy under the Act. No costs.

Dated 03-03-2006 ----------

Pvsn Justice G. Raghuram